

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6 and 8-19 are currently pending. Claims 1, 3-5, 8, 10-12, 14, and 15 and 17-19 have been amended; and Claims 7 and 20 have been cancelled without prejudice by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, the specification was objected to as containing embedded hyperlinks; Claim 17 was objected to regarding an informality; Claims 1 and 8 were rejected under 35 U.S.C. § 112, first paragraph, regarding the phrase “compatible and incompatible position information;” Claims 1 and 8 were rejected under 35 U.S.C. § 112, second paragraph, regarding the phrase “compatible and incompatible position information;” Claims 1, 2, 5-9, 12-17, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,327,533 to Chou (hereinafter “the ‘533 patent”); and Claims 3, 4, 10, 11, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘533 patent in view of U.S. Patent No. 6,618,004 to Fenton et al. (hereinafter “the ‘004 patent”).

Applicants wish to thank the Examiner for the interview granted Applicant Avery Fong and Applicants’ representative on March 3, 2004, at which time a proposed amendment to Claim 1 was discussed. However, no agreement was reached pending the Examiner’s further consideration of the claims upon formal submission of a response to the outstanding Office Action.

In response to the objection to the specification, the specification has been amended to delete all references to hyperlinks. Accordingly, the objection to the specification is believed to have been overcome.

In response to the objection to the claims, Claim 17 has been amended to correct the informality noted in the Office Action. Accordingly, the objection to the claims is believed to have been overcome.

Applicants respectfully submit that the rejections of Claims 1 and 8 under 35 U.S.C. § 112, first and second paragraphs, is rendered moot by the present amendment to those claims. Claims 1 and 8 have been amended to delete all references to the words “compatible” and “incompatible”.

Amended Claim 1 is directed to a computer-implemented position tracking system, comprising: (1) means for selecting a destination of position information related to a remotely located device; (2) means for selecting a data format for the position information; (3) means for transmitting the position information to the selected destination in the selected data format; (4) means for receiving the position information from the remotely located device via a wide-area network using a protocol; and (5) means for mapping the received position information as location indicators on a map. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.<sup>1</sup>

Applicants respectfully submit that the rejection of Claim 1 as anticipated by the ‘533 patent is rendered moot by the present amendment to Claim 1. Further, Applicants submit that the rejection of dependent Claim 7 is rendered moot by the present amendment to that claim.

The ‘533 patent is directed to a method and apparatus for continuously tracking moving objects in real time anywhere in the world. In particular, the ‘533 patent discloses a smart mobile unit that receives and uses GPS satellite positioning data to continuously determine its current position in map-ready units, and to transmit the position output “using an automatically selected wireless mode of communication, to a central processing station for

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<sup>1</sup> See, e.g., pages 14 and 15 of the specification.

map generation and display processing.”<sup>2</sup> Further, the ‘533 patent discloses that authorized clients may log onto the central processing station to view the object from anywhere in the world. However, Applicants respectfully submit that the ‘533 patent fails to disclose (1) means for selecting a destination position information related to a remotely located device; and (2) means for selecting a data format for the position information, as recited in amended Claim 1. Rather, the ‘533 patent discloses a system in which position information is always sent to a central processing station, rather than to a selected destination, and is always sent in a fixed format. Accordingly, Applicants respectfully submit that amended Claim 1 (and dependent Claims 2, 5, and 6) patentably defines over the ‘533 patent.

Independent Claims 8 and 14 recite limitations analogous to limitations recited in Claim 1. Moreover, Claims 8 and 14 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejection of Claim 8 (and dependent Claims 9, 12 and 13) and Claim 14 (and dependent Claims 15-17) are rendered moot by the present amendment to Claims 8 and 14. Further, Applicants respectfully submit that the rejection of Claim 20 is rendered moot by the present cancellation of that claim.

Regarding the rejection of dependent Claims 3, 4, 10, 11, 18, and 19, Applicants respectfully submit that the ‘004 patent fails to remedy the deficiencies of the ‘533 patent, as discussed above. Accordingly, Applicants respectfully submit that the rejection of dependent Claims 3, 4, 10, 11, 18, 19 is rendered moot by the present amendment to independent Claims 1, 8, and 14.

Thus, it is respectfully submitted that independent Claims 1, 8, and 14 (and all associated dependent claims) patentably define over any proper combination of the ‘533 and ‘044 patents.

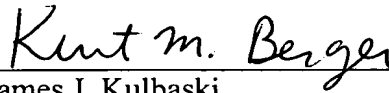
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<sup>2</sup> Abstract of the ‘533 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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